

Fitzgerald, Pamela

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**From:** Maurer, Lyndsey  
**Sent:** Thursday, January 07, 2016 4:46 PM  
**To:** Fitzgerald, Pamela  
**Cc:** WALKER, WILLIS; OCHMANN, DAVID; Calhoun, Courtney  
**Subject:** Office of Compliance, EOAA Investigation Summary Report: Lyndsey Maurer vs. Colin Miller, Senior Fiscal Manager

**To:** Pamela Fitzgerald, Manager & Interim Title IX Coordinator, Office of Compliance, Equal Opportunity & Affirmative Action (EOAA)

**From:** Lyndsey Maurer, Director of Athletic Communications

**Date:** January 7, 2016

**Subject:** Office of Compliance, EOAA Investigation Summary Report: Lyndsey Maurer vs. Colin Miller, Senior Fiscal Manager

Ms. Fitzgerald,

Thank you for sending your Investigation Summary Report on Friday, Dec. 18. I have recently been made aware that Mr. Miller is appealing some, if not all, of your recommendations. I want to take the time to point out that while I think your recommendations are a step in the right direction, there is still much more to uncover and learn about Mr. Miller's indiscretions.

The first question that came to mind while reading your report was how you chose the people you spoke with. For example, I listed Nick Kane, Brad Bee, Mollie Radzinski and Aaron Chimenti as witnesses, but none were interviewed or spoken with regarding my complaint. I also know that Brad Bee and Nick Kane spoke with Karen Watson about the on-going harassment, but none of that was included or mentioned in your final report either.

Janet Kittell, my direct supervisor, advised that you speak to most if not all, of the single women in the athletic department: Kim Kuzma, Michelle Rura, Heather Cook, Jessica Bachkora, etc. None of them were spoken with. I believe a couple of these women can speak to his harassment of them as well.

You did, however, interview Head Gymnastics Coach, Brice Biggin. I am not sure if Mr. Miller suggested that you speak with him, or you just took it upon yourself to learn more about his bizarre passion for gymnastics. Either way, I do not think Mr. Biggin could give you a good perspective, considering they have been friends since high school and his student-athletes may not feel comfortable discussing this type of thing with their head coach.

As a former Division I athlete who had a male head coach for four years, I know that young women would never feel comfortable discussing such a matter with a male head coach. But just because they have not spoken to Mr. Biggin about their thoughts about Mr. Miller coming in during practice hours to watch them

practice, I can almost guarantee they've expressed their feelings/concerns about it to their athletic trainer, Michelle Rura and/or Compliance Coordinator/SAAC Advisor Katie Schilling.

I find it very peculiar that during practice hours, Mr. Miller stated he goes into the gymnastics room to give the gymnasts advice and guidance on their education. If this were the case, and he truly cared about our athletes' education, wouldn't he be doing this for all of our athletic teams? I think people would see him visiting our wrestling room or make an appearance at men's basketball practice to advise some of our male athletes as well. I think scheduled practice times are meant for practice, not for counseling sessions with Mr. Miller. Gymnastics has also been the only team with which Mr. Miller has traveled. What is his purpose on the road with gymnastics?

In case you weren't aware, we have a robust and very talented Academic Support Staff that is paid to help our student-athletes with such things. I am unaware of his qualifications, if any, to counsel our athletes.

I do not feel your recommendations go far enough. I want to be sure that the investigation into this matter was thorough and handled appropriately. In nearly 12 years of being in the workforce, I have never worked in a hostile environment like this. Over the last two years, I have had to laugh off Mr. Miller's harassment, and it has made me feel sick to my stomach that I had to put up with this just to get along with him and do my job. I can't speak for all women, but I think "we" have all learned whether by instinct or trial and error, how to minimize a situation that makes us uncomfortable. It doesn't feel good. But we do it because to not do it could put us in danger or get us fired. For a while, it was easier for me to shrug this off than deal with confrontation.

I look forward to hearing from you soon as the existing hostile work environment persists. He still has a master key, and to my knowledge, the freedom to use it.

cc:   Willis Walker, Interim Vice President for Human Resources  
      David Ochmann, Associate Vice President & Deputy General Counsel  
      Courtney E. Calhoun, Director, Office of Compliance, Equal Opportunity & Affirmative Action

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